

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JERRY BALDONADO,

Applicant,

v.

No. 13-cv-0573 LH/SMV

**NEW MEXICO DEPARTMENT
OF CORRECTIONS and
ATTORNEY GENERAL OF THE
STATE OF NEW MEXICO,**

Respondents.

ORDER TO CURE DEFICIENCY

Applicant submitted an application for writ of habeas corpus. The Court determines that the document is deficient as described in this order. Applicant is directed to cure the following if he wishes to pursue his claims:

I. Filing Fee.

_____ No filing fee (\$5.00 habeas corpus) has been received.

II. Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to § 1915:

- (1) _____ is not filed
- (2) _____ is missing affidavit
- (3) X is missing required financial information
- (4) _____ is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (5) _____ is missing an original signature by the prisoner
- (6) _____ names in caption do not match names in caption of complaint, petition or habeas application
- (7) _____ An original and a copy have not been received by the Court. Only an original has been received.
- (8) _____ other

III. Petition or Application:

- (1) — is missing
- (2) — is not on proper form
- (3) — is missing an original signature by the prisoner
- (4) — is missing page nos.
- (5) — uses et al. instead of listing all defendants/respondents
- (6) — An original and a copy have not been received by the Court. Only an original has been received.
- (7) — Sufficient copies to serve each defendant/respondent have not been received by the Court.
- (8) — names in caption do not match names in text
- (9) — other:

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Applicant cure the deficiencies designated above within thirty (30) days from the date of this order. Any papers that Applicant files in response to this order must include the civil action number (13-cv-0573 LH/SMV) of this case.

IT IS FURTHER ORDERED that the Clerk of the Court mail to Applicant, together with a copy of this order, the following forms: 2 copies each of a Motion for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Financial Certificates.

IT IS FURTHER ORDERED that, if Applicant fails to cure the designated deficiencies within thirty (30) days from the date of this order, the application may be dismissed without prejudice without further notice.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge